

AP/2162
JW

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS
AND INTERFERENCES

In Re Application of Hawley K. Rising III

Attorney Docket No.: 080398.P506

Application Number 09/904,449

Filed July 11, 2001

For FORMAL VERIFICATION OF SEMANTIC DS

Group Art Unit: 2162 Examiner: Corriellus, Jean M.

Address to:

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

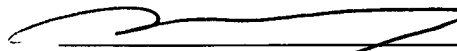
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 500.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- ☒ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-2666. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest
See 37 CFR 3.71, Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96)


Signature

- ☒ attorney or agent of record

Sheryl Sue Holloway
Typed or printed name

- ☐ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) 37,850
(Reg. No.)

DEC. 23, 2004
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest of their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

- ☒ *Total of 1 forms are submitted

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on December 23, 2004

Alma Goldchain


Signature

12/23/04
Typed or printed name

05/01/03

12/30/2004 AWONDAF1 00000063 09904449

01 FC:1401

500.00 OP

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

Complete if Known:

Application No.	09/904,449
Filing Date	July 11, 2001
First Named Inventor	Hawley K. Rising III
Examiner Name	Corielus, Jean M.
Art Unit	2162
Attorney Docket No.	080398.P506

Applicant claims small entity status. See 37 CFR 1.27.

X **Check** **Credit Card** **Money Order** **None** **Other (please identify)**

Deposit Account Number : 02-2666

Deposit Account Name:

X The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

X	Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.
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Charge fee(s) indicated below except for the filing fee

X Credit any overpayments.

 X Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>		<u>Fees Paid (\$)</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>			
1011	300	2011	150	Utility application filing fee	} 1,000/500	_____
1111	500	2111	250	Utility search fee		_____
1311	200	2311	100	Utility examination fee		_____
1012	200	2012	100	Design application filing fee	} 430/215	_____
1112	100	2112	50	Design search fee		_____
1312	130	2312	65	Design examination fee		_____
1013	200	2013	100	Plant filing fee	} 660/330	_____
1113	300	2113	150	Plant search fee		_____
1313	160	2313	80	Plant examination fee		_____
1004	300	2004	150	Reissue filing fee	} 1,400/700	_____
1114	500	2114	250	Reissue search fee		_____
1314	600	2314	300	Reissue examination fee		_____
1005	200	2005	100	Provisional application filing fee		_____
SUBTOTAL (1)						\$ 0.00

2. EXCESS CLAIM FEES

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims _____ – 20 or HP = _____		X \$50.00	= _____
HP = highest number of total claims paid for, if greater than 20			
Independent Claims _____ – 3 or HP = _____		X \$200.00	= _____
HP = highest number of independent claims paid for, if greater than 3			
Multiple Dependent Claims _____			= _____

<u>Large Entity</u>		<u>Small Entity</u>		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description</u>
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$ 0.00

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	– 100 = _____	/ 50 = _____ (round up to whole number)	X \$250.00	_____

<u>Large Entity</u>		<u>Small Entity</u>		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets</u> (count spec & drawings except sequences & program listings):
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0.00

FEE CALCULATION (continued)**4. OTHER FEE(S)**

				Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)				
Large Entity		Small Entity		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for ex parte reexamination
1813	8,800	1813	8,800	Request for inter parties reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,590	2254	795	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	500	2452	250	Petition to revive - unavoidable
1453	1,500	2453	750	Petition to revive - unintentional
1501	1,400	2501	700	Utility issue fee (or reissue)
1502	800	2502	400	Design issue fee
1503	1100	2503	550	Plant issue fee
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))
1814	130	2814	65	Statutory Disclaimer
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))
1801	790	2801	395	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.
1505	300	1505	300	Publication fee for republication
1803	130	1803	130	Request for voluntary publication or republication
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority
Other fee (specify) _____				
Other fee (specify) _____				
SUBTOTAL (4)				\$ 500.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Sheryl Sue HollowaySignature: Date: DEC. 23, 2004Reg. Number: 37,850Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450